

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

|                                                                                                  |                                                                                     |                                                                           |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Applicant's or agent's file reference<br>PHNL030116WO                                            | FOR FURTHER ACTION                                                                  | See item 4 below                                                          |
| International application No.<br>PCT/IB2004/050029                                               | International filing date ( <i>day/month/year</i> )<br>16 January 2004 (16.01.2004) | Priority date ( <i>day/month/year</i> )<br>05 February 2003 (05.02.2003 ) |
| International Patent Classification (IPC) or national classification and IPC<br>H04N 5/76, 5/765 |                                                                                     |                                                                           |
| Applicant<br>KONINKLIJKE PHILIPS ELECTRONICS N.V.                                                |                                                                                     |                                                                           |

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                                |                                                                                                                                                                 |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Box No. I  | Basis of the report                                                                                                                                             |
| <input checked="" type="checkbox"/> Box No. II | Priority                                                                                                                                                        |
| <input type="checkbox"/> Box No. III           | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability                                                                |
| <input type="checkbox"/> Box No. IV            | Lack of unity of invention                                                                                                                                      |
| <input checked="" type="checkbox"/> Box No. V  | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI            | Certain documents cited                                                                                                                                         |
| <input type="checkbox"/> Box No. VII           | Certain defects in the international application                                                                                                                |
| <input type="checkbox"/> Box No. VIII          | Certain observations on the international application                                                                                                           |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

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| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland<br>Facsimile No. +41 22 740 14 35 | Date of issuance of this report<br>05 August 2005 (05.08.2005)           |
|                                                                                                                                 | Authorized officer<br><br>Idhir Britel<br>Telephone No. +41 22 338 70 60 |

# PATENT COOPERATION TREATY

REC'D 25 MAY 2004

WIPO

PCT

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/B2004/050029

International filing date (day/month/year)  
16.01.2004

Priority date (day/month/year)  
05.02.2003

International Patent Classification (IPC) or both national classification and IPC  
H04N5/76, H04N5/765

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized Officer

Lauri, L

Telephone No. +49 89 2399-7304



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/B2004/050029

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2004/050029

**Box No. II Priority**

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

|                               |             |               |
|-------------------------------|-------------|---------------|
| Novelty (N)                   | Yes: Claims | 5,6,10-12     |
|                               | No: Claims  | 1-4,7-9,13-17 |
| Inventive step (IS)           | Yes: Claims | 5,6,10-12     |
|                               | No: Claims  | 1-4,7-9,13-17 |
| Industrial applicability (IA) | Yes: Claims | 1-17          |
|                               | No: Claims  |               |

2. Citations and explanations

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: WO9710678

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses a video recording apparatus (p. 1, l. 13 - p. 3, l. 11) comprising:

- a first input for receiving at least a first input signal of a first type: claim 1, line 5;
- a second input for receiving at least a second input signal of a second type different than the first type: claim 1, line 6;
- means for operating in a first operating mode when no input signal is detected on the second input: claim 1, lines 8-9, lines 11-12 and claim 2;
- means for operating in a second operating mode having different functionality than the first operating mode when an input is detected on the second input: claim 3.

The above objection also applies to claims 15-17, whose subject-matters are the method corresponding to the apparatus according to claim 1 and the corresponding computer program, respectively.

Dependent claims 2-4, 7-9, 13 and 14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step. Claims 2-3: see document D1 p. 8, l. 5-13 and p. 9, l. 17-23. Claim 4: see D1 p. 6, l. 1-15. Claim 7: see D1 p. 1, l. 35-37. Claims 8 and 9: see D1 p. 12, l. 35 - p. 13, l. 9. Claims 13 and 14: see D1, p. 1, l. 13-24.

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European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
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Lauri, L

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
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3. Additional observations, if necessary:

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

---

1. Statement

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| Novelty (N)                   | Yes: Claims | 5,6,10-12     |
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|                               | No: Claims  | 1-4,7-9,13-17 |
| Industrial applicability (IA) | Yes: Claims | 1-17          |
|                               | No: Claims  |               |

2. Citations and explanations

**see separate sheet**



**Re Item V**

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